

**REPORT OF THE AUDIT OF THE  
ALLEN COUNTY  
CLERK**

**For The Year Ended  
December 31, 2010**



**CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS  
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## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE ALLEN COUNTY CLERK**

**For The Year Ended  
December 31, 2010**

The Auditor of Public Accounts has completed the Allen County Clerk's audit for the year ended December 31, 2010. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

#### **Financial Condition:**

Excess fees increased by \$37 from the prior year, resulting in excess fees of \$7,254 as of December 31, 2010. Revenues increased by \$124,406 from the prior year and expenditures increased by \$124,369.

#### **Deposits:**

The County Clerk's deposits were insured and collateralized by bank securities or bonds.



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**CRIT LUALLEN**  
**AUDITOR OF PUBLIC ACCOUNTS**

The Honorable Johnny Hobdy, Allen County Judge/Executive  
The Honorable Beverly Calvert, Allen County Clerk  
Members of the Allen County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Allen County, Kentucky, for the year ended December 31, 2010. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2010, in conformity with the regulatory basis of accounting described in Note 1.

In accordance with Government Auditing Standards, we have also issued our report dated April 13, 2011 on our consideration of the Allen County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



The Honorable Johnny Hobdy, Allen County Judge/Executive  
The Honorable Beverly Calvert, Allen County Clerk  
Members of the Allen County Fiscal Court

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Allen County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen  
Auditor of Public Accounts

April 13, 2011



ALLEN COUNTY  
BEVERLY CALVERT, COUNTY CLERK  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2010

Revenues

State Grants	\$	14,274
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State Fees For Services		69,205
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Fiscal Court		31,266
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Licenses and Taxes:

Motor Vehicle-

Licenses and Transfers	\$	579,357
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Usage Tax		762,446
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Tangible Personal Property Tax		1,178,089
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Motor Vehicle Notary Fees		8,638
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Motor Vehicle Lien Release Fees		12,612
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Other-

Fish and Game Licenses		21,373
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Marriage Licenses		5,645
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Deed Transfer Tax		41,755
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Delinquent Tax		235,408
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Miscellaneous		6,909	2,852,232
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Fees Collected for Services:

Recordings-

Deeds and Powers of Attorney		16,393
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Real Estate Mortgages		26,802
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Chattel Mortgages and Financing Statements		47,652
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Wills and Estates		544
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Releases		8,164
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Liens		10,936
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Fixture Filings		435
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Leases		478
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Housing Trust Fund		23,352
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All Other Recordings		4,348
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Charges for Other Services-

Candidate Filing Fees		1,050
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Copywork		8,576
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Refunds and Overpayments		57,856	206,586
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The accompanying notes are an integral part of this financial statement.

ALLEN COUNTY  
 BEVERLY CALVERT, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2010  
 (Continued)

Revenues (Continued)

Other:

Miscellaneous		\$	6,253
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Interest Earned			541
			<hr/>

Total Revenues			3,180,357
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Expenditures

Payments to State:

Motor Vehicle-

Licenses and Transfers	\$	407,643	
Usage Tax		739,572	
Tangible Personal Property Tax		417,421	
Licenses, Taxes, and Fees-			
Fish and Game Licenses		20,995	
Delinquent Tax		18,212	
Legal Process Tax		18,147	
Affordable Housing Trust		23,452	
		<hr/>	\$ 1,645,442

Payments to Fiscal Court:

Tangible Personal Property Tax		102,837	
Delinquent Tax		16,351	
Deed Transfer Tax		39,667	
		<hr/>	158,855

Payments to Other Districts:

Tangible Personal Property Tax		610,439	
Delinquent Tax		126,990	
		<hr/>	737,429

Payments to Sheriff			18,914
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Payments to County Attorney			32,041
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ALLEN COUNTY  
 BEVERLY CALVERT, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2010  
 (Continued)

Expenditures (Continued)

Operating Expenditures:

Personnel Services-

Deputies' Salaries \$ 180,638

Employee Benefits-

Employer's Share Social Security 18,425

Employer's Share Retirement 41,403

Employer's Paid Health Insurance 54,548

Materials and Supplies-

Office Supplies 40,768

Other Charges-

Clerk's Insurance & Bonds 254

Conventions and Travel 1,920

Postage 7,410

Microfilming & Indexing Records 61,176

Miscellaneous Equipment & Maintenance Agreements 6,009

Libraries & Archives Expenditures 14,274

General Repairs & Maintenance 3,940

Refunds 58,826

Miscellaneous 7,503 \$ 497,094

Total Expenditures \$ 3,089,775

Net Revenues 90,582

Less: Statutory Maximum 76,104

Excess Fees 14,478

Less: Expense Allowance 3,600

Training Incentive Benefit 3,624 7,224

Excess Fees Due County for 2010 7,254

Payment to Fiscal Court - March 7, 2011 7,142

Payment to Fiscal Court - April 8, 2011 112 7,254

Balance Due Fiscal Court at Completion of Audit \$ 0

The accompanying notes are an integral part of this financial statement.

ALLEN COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2010

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2010 services
- Reimbursements for 2010 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2010

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

ALLEN COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2010  
(Continued)

Note 2. Employee Retirement System

The county official and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost sharing, multiple employer defined benefit pension plan, which covers all eligible full-time employees and provides for retirement, disability and death benefits to plan members. Benefit contributions and provisions are established by statute.

Nonhazardous covered employees are required to contribute 5 percent of their salary to the plan. Nonhazardous covered employees who begin participation on or after September 1, 2008 are required to contribute 6 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 16.16 percent for the first six months and 16.93 percent for the last six months.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Nonhazardous employees who begin participation on or after September 1, 2008 must meet the rule of 87 (members age plus years of service credit must equal 87, and the member must be a minimum of 57 years of age) or the member is age 65, with a minimum of 60 months service credit.

Historical trend information showing the CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601-6124, or by telephone at (502) 564-4646.

Note 3. Deposits

The Allen County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the County Clerk's deposits may not be returned. The Allen County Clerk does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of December 31, 2010, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

ALLEN COUNTY  
NOTES TO THE FINANCIAL STATEMENT  
December, 31 2010  
(Continued)

Note 4. Grant

The Allen County Clerk received a local records grant from the Kentucky Department for Libraries and Archives in the amount of \$14,274. Funds totaling \$14,274 were expended during the year. The unexpended grant balance was \$0 as of December 31, 2010.

Note 5. Leases

The Allen County Clerk's office was committed to the following lease agreements as of December 31, 2010:

Item Purchased	Monthly Payment	Term Of Agreement	Ending Date	Principal Balance December 31, 2010
Software	\$ 3,400	60 months	6/22/2014	\$ 142,800
Hardware	1,698	60 months	6/22/2014	71,316
	<u>\$ 5,098</u>			<u>\$ 214,116</u>

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL  
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS







CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Johnny Hobdy, Allen County Judge/Executive  
The Honorable Beverly Calvert, Allen County Clerk  
Members of the Allen County Fiscal Court

Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Allen County Clerk for the year ended December 31, 2010, and have issued our report thereon dated April 13, 2011. The County Clerk's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Allen County Clerk's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the County Clerk's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the County Clerk's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.



Report On Internal Control Over Financial Reporting And  
On Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Allen County Clerk's financial statement for the year ended December 31, 2010, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, the Allen County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen  
Auditor of Public Accounts

April 13, 2011

